

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 367 by Representative Dove

CIVIL SERVICE/FIRE & POL: Provides relative to the position of police chief in the city of Houma

Synopsis of Senate Amendments

- 1. Adds qualifications for the position of police chief relative to experience and training.
- 2. Provides that provisions of proposed law shall be null and void on July 1, 2012.

Digest of Bill as Finally Passed by Senate

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 constitution made statutory by the 1974 constitution. Present law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons; and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons. Present constitution authorizes modifications to such systems (by law adopted by 2/3 of each house of the legislature in the case of provisions of Art. XIV, §15.1 of the 1921 constitution made statutory by the constitution of 1974) but prohibits the legislature from abolishing the system or making it inapplicable to covered jurisdictions.

Present law retains present constitution and present law.

Present law relative to both systems, provides that the classified service shall comprise every position, except those in the unclassified service to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal government. Provides that the positions of fire chief and police chief shall be in the classified service. Provides further with respect to which positions are in the classified and unclassified service.

Proposed law retains present law but provides an exception for the position of police chief in the city of Houma. Provides that such position is in the unclassified service and provides that the right of selection, appointment, supervision, and discharge for such position is vested in the president of Terrebonne Parish. Further provides that the appointment of the police chief shall be subject to the approval of the parish governing authority.

Proposed law requires the police chief to have at least five years of full time law enforcement experience and to have successfully completed a certified training program approved by the Council on Standards and Training. Additionally requires any person appointed to the position of police chief to meet all qualifications and requirements as provided in the parish compensation plan in effect at the time of his appointment.

Proposed law provides that any person who resigns from a position in the classified service to be appointed police chief shall not forfeit his seniority accumulated to the date of his resignation. Provides that no such person shall accumulate seniority during the time he is not in the classified service. Further provides that if any such person resigns from such position or is terminated for any reason other than malfeasance in office, he shall be eligible to be reemployed to the same position in the classified service in which he was employed immediately preceding his resignation from the classified service. Provides that if the position has been filled or no longer exists, then his former employer shall employ him to a comparable position.

Proposed law provides that provisions of proposed law shall be null and void on July 1, 2012.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 33:2481.3)